

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANDREW AARON PHILIPS,
Plaintiff

v.

CAROLYN W. COLVIN,¹
Acting Commissioner of the Social Security
Administration,
Defendant

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No. 1:16-cv-1033

(Judge Kane)
(Magistrate Judge Carlson)

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Before the Court is the August 16, 2017 Report and Recommendation of Magistrate Judge Carlson (Doc. No. 18), recommending that the Court affirm the Social Security Commissioner's final decision denying Plaintiff Andrew Aaron Philips' application for disability insurance benefits under Title II of the Social Security Act on the basis that substantial evidence supports the Administrative Law Judge's determination that Plaintiff was not disabled under the Social Security Act since March 1, 2012. (Doc. No. 18.) No timely objections have been filed.

AND SO, on this 31st day of August 2017, upon independent review of the record and applicable law, **IT IS ORDERED THAT:**

1. Magistrate Judge Carlson's Report and Recommendation (Doc. No. 18), is **ADOPTED**;
2. Plaintiff Andrew Aaron Philips' appeal (Doc. No. 1), is **DENIED**, and the Commissioner's decision is **AFFIRMED**;
3. Judgment is entered in favor of the Commissioner and against Andrew Aaron

¹ The Court notes that since the institution of this action, Carolyn W. Colvin has been succeeded as Acting Commissioner of the Social Security Administration by Nancy A. Berryhill. Pursuant to Federal Rule of Civil Procedure 25(d), a public officer's successor is automatically substituted as a party in an action brought against the public officer in an official capacity.

Philips; and

4. The Clerk of Court is directed to **CLOSE** the above-captioned case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania